

Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

23 April 2019

Original: English

Third session

New York, 29 April–10 May 2019

The Treaty on the Non-Proliferation of Nuclear Weapons at 50: a brief assessment by the European Union

Working paper submitted by the European Union

Introduction

1. Marking over half a century since the adoption of the Treaty on the Non-Proliferation of Nuclear Weapons, the European Union and its member States recognize the Non-Proliferation Treaty as a unique and irreplaceable multilateral instrument for the maintenance and strengthening of international peace and security. As we prepare to mark the fiftieth anniversary of the Treaty, we recall its remarkable success in limiting the proliferation of nuclear weapons and in facilitating the benefits of the peaceful applications of nuclear technologies, while a significant reduction in strategic and non-strategic nuclear weapons and their delivery systems has been realized, including by the two member States of the European Union. The Non-Proliferation Treaty is the cornerstone of the global nuclear non-proliferation regime, the essential foundation for the pursuit of nuclear disarmament in accordance with article VI and an important element in the further development of the applications of nuclear energy for peaceful purposes. With its almost universal membership, the Treaty enjoys one of the widest adherences of any such disarmament, non-proliferation and arms control agreements. The European Union calls upon all States parties to implement the Treaty obligations and the commitments undertaken during the previous Review Conferences and, in particular, continues to promote comprehensive, balanced and substantive full implementation of the action plan adopted by consensus, set out in the Final Document of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and designed to strengthen the three pillars of the Treaty. Its concrete, equally important and mutually reinforcing steps on nuclear disarmament, non-proliferation and peaceful uses of nuclear energy remain valid and will contribute to the objective of achieving a world without nuclear weapons. States parties thus reaffirmed their commitment to comply with their obligations and to fulfil the goals of the Non-Proliferation Treaty and towards universal accession to the Treaty.

2. The Non-Proliferation Treaty comprises three crucial pillars: non-proliferation, disarmament and the peaceful use of nuclear energy. This is the cornerstone around which the international community has built and consolidated throughout the years a



strong framework of supporting institutions. The Treaty has provided critical security benefits to all States parties. It has been the basis and the enabler for the promotion of other disarmament, non-proliferation and arms control agreements, either facilitating bilateral nuclear disarmament or spurring multilateral support for preventing further proliferation. Half a century later and through the important Review Conference cycle that allows States parties to address evolving challenges to the regime, the Non-Proliferation Treaty endures and continues to be the bedrock for further action to implement fully and in a balanced manner its three pillars.

The Treaty on the Non-Proliferation of Nuclear Weapons and its three pillars

3. The Non-Proliferation Treaty has made a significant contribution to overall peace and security. All States parties have committed to pursuing policies that are fully compatible with the Treaty and the objective of achieving a world without nuclear weapons. The European Union and its member States remain committed to the pursuit of nuclear disarmament, in accordance with article VI of the Treaty. We stress the continued need for concrete progress towards the full implementation of article VI, especially through an overall reduction in the global stockpile of nuclear weapons, with the ultimate goal of total elimination of those weapons, taking into account the special responsibility of the States that possess the largest nuclear arsenals. The European Union contributes actively to global efforts to seek a safer world for all and to create the conditions for a world without nuclear weapons, in accordance with the goals of the Treaty, in a way that promotes international stability, and based on the principle of undiminished security for all. It is of utmost importance that all parties contribute to improving the strategic context and avoid eroding the rules-based multilateral system, which is indispensable for maintaining international peace and security.

4. The objectives enshrined in the principles and objectives for nuclear non-proliferation and disarmament adopted at the 1995 Review and Extension Conference recognized a ban on the production of fissile material for nuclear weapons as an important measure for “the full realization and effective implementation of article VI”. For the European Union, a multilateral, non-discriminatory and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, negotiated in the Conference on Disarmament, continues to be a priority as well as a genuine contribution towards providing increased and undiminished global security for all States. It should significantly reduce the risk of a nuclear arms race by increasing trust between nuclear-armed States and between these and the wider international community and thus contributing to both nuclear disarmament and non-proliferation. The rationale for a treaty stopping the production of the material from which they are made is evident. In the meantime, we call on all States possessing nuclear weapons that have not yet done so to declare and uphold an immediate moratorium on the production of fissile materials for nuclear weapons or other nuclear devices. In support of future negotiations, by stimulating inclusivity and stakeholder ownership, the European Union provides financial support to the United Nations Office for Disarmament Affairs to facilitate widespread understanding of the technical aspects relating to the fissile material cut-off treaty, in order to increase participation in fissile material cut-off treaty-related consultations.

5. Effective nuclear disarmament verification is essential for achieving a world without nuclear weapons. Ongoing work on nuclear disarmament verification, either through the United Nations group of governmental experts or other initiatives, such as the International Partnership for Nuclear Disarmament Verification, is aimed at promoting trust and confidence among States as well as the development of appropriate multilateral technical capabilities. While verification is not an aim in

itself, concrete steps towards enabling verification of the disarmament process could contribute to the implementation of article VI. Verification capabilities should be developed now to ensure their availability for disarmament. Therefore, we consider it important to pursue and intensify efforts, including in cooperation with international and regional organizations and civil society, to address verification challenges with respect to safety, security and non-proliferation requirements.

6. Safeguards underpin the Non-Proliferation Treaty and therefore the global non-proliferation regime. The European Union sees the International Atomic Energy Agency (IAEA) safeguards as essential to peace and security worldwide. The European Union and its member States continue to underscore the importance of peaceful activities around the world being conducted in a safe, secure and safeguarded manner. They do so by working directly with countries in the European neighbourhood and beyond and by supporting the work of IAEA in that respect, including by providing valuable technical and scientific support to the Agency.

7. In the context of increasing challenges to the non-proliferation regime and given the increase in nuclear material under IAEA safeguards, the European Union strongly supports the Agency's efforts to strengthen the effectiveness and improve the efficiency of its safeguards system. The IAEA system of safeguards plays a fundamental role in the implementation of the Non-Proliferation Treaty. In a world of limited resources, IAEA is faced with the need to continuously improve and optimize its verification capabilities and technologies. Throughout its history, the IAEA safeguards regime has been subject to many challenges that have exposed the vulnerability of the verification system and forced it to evolve and become stronger. International and regional conflicts in the 1980s and 1990s exposed the vulnerability of the verification system and demonstrated the need for improvement. This process led to the adoption of a new legally binding standard, the additional protocol, which broadened the rights and activities permissible to IAEA. The European Union considers comprehensive safeguards agreements, complemented by additional protocols, to be the current verification standard under article III of the Treaty. All European Union member States have an additional protocol in force and it is a requirement for any State acceding to the European Union. The European Union is reaching out and urging all States that have not yet done so to ratify and implement the additional protocol.

8. The European Union strongly supports the continued implementation of State-level safeguards approaches as a means to further increase the efficiency and effectiveness of the global non-proliferation regime. The European Union welcomes the ongoing work by IAEA to improve its internal processes of safeguards implementation. We look forward to the continued development and implementation of updated State-level safeguards approaches for all States, in close consultation with the State and/or regional authority concerned.

9. The European Union contribution to the IAEA international safeguards regime has been substantial throughout the last few decades; it represents now more than half of the currently running research and training activities. The European Commission cooperative support programme was established in May 1981 and, over the years, has become the second largest support programme addressing a broad spectrum of IAEA research, development and training needs: from research and development of methods and standards to improving safeguards analysis, development of innovative containment and surveillance techniques, development of enhanced process monitoring and modelling, to development of tools, including those needed for collection and analysis of strategic trade and export control-related data. In addition, the European Commission cooperative support programme supports the analysis of nuclear materials, the analysis of environmental particle samples and the provision of reference materials in the framework of the IAEA Network of Analytical

Laboratories. Moreover, European Commission installations are made available and training courses are designed to meet IAEA specific requirements in a wide range of fields. Within the European Union, IAEA applies its safeguards working closely together with the regional safeguards authority, Euratom Safeguards, under cooperation arrangements known as the New Partnership Approach. This close cooperation is exemplified by the joint inspection of installations underpinned by the joint management and use of common instruments and tools, which makes for effective and efficient safeguards, and demonstrates the continuing respect by the European Union member States for their international non-proliferation obligations.

10. The date of 16 January 2019 marked the third anniversary of the implementation of the Joint Comprehensive Plan of Action. The European Union led the negotiations culminating in the deal and continues to play a key role, notably through the European Union High Representative, who is Coordinator of the Joint Comprehensive Plan of Action Joint Commission. The continued implementation of the Joint Comprehensive Plan of Action for the past three years constitutes a significant building block for the global non-proliferation architecture as well as a relevant contribution to the pillars of the Non-Proliferation Treaty. The endorsement of the Joint Comprehensive Plan of Action through the adoption of Security Council resolution [2231\(2015\)](#) rendered it universal and validated its relevance to international security.

11. The European Union highlights the impartial and unparalleled work of IAEA in the implementation of the Joint Comprehensive Plan of Action. IAEA has been continuously reporting on its verification and monitoring work related to the Islamic Republic of Iran's Joint Comprehensive Plan of Action assumed nuclear-related commitments, providing the international community with the acknowledgement that the Islamic Republic of Iran is complying with its obligations. The European Union recognizes that the lifting of sanctions constitutes an essential part of the Joint Comprehensive Plan of Action and deeply regrets the reimposition of sanctions by the United States of America, following the latter's withdrawal from the Joint Comprehensive Plan of Action.

12. The European Union is determined to further pursue its work with the international community to preserve this important multilateral achievement, a key element of the global nuclear non-proliferation architecture, crucial for international security.

13. The European Union has been and continues to be a staunch supporter of the Comprehensive Nuclear-Test-Ban Treaty and its Organization. We consider the Comprehensive Nuclear-Test-Ban Treaty to be of crucial importance to nuclear disarmament and non-proliferation. Its entry into force and universalization remain a top priority. The Comprehensive Nuclear-Test-Ban Treaty is an asset to the non-proliferation regime and strengthens and complements the Non-Proliferation Treaty, and we consider that ratification of the Treaty contributes to securing peace and trust, particularly in regions of potential conflict. By their ratification, States underline their strong support for the tools of the Comprehensive Nuclear-Test-Ban Treaty that enhance international peace and security and are essential for verifiable global nuclear disarmament. The European Union thus continues promoting the entry into force of the Treaty. The adoption of resolution [2310 \(2016\)](#) by the Security Council, its first ever Comprehensive Nuclear-Test-Ban Treaty-specific resolution 20 years after the opening of the Treaty for signature, was a landmark. All 28 European Union member States have signed and ratified the Treaty, and the European Union continues to reach out to promote entry into force, in particular urging all eight remaining annex II States to ratify the Treaty.

14. The Comprehensive Nuclear-Test-Ban Treaty Organization has managed to build up the International Monitoring System, which is the world's largest and most

sophisticated multilateral verification system on nuclear tests. The Comprehensive Nuclear-Test-Ban Treaty Organization responded immediately and effectively to the nuclear tests of the Democratic People's Republic of Korea, demonstrating its ability to provide independent and reliable data, something that no single country alone could do. In this context, the European Union urges the Democratic People's Republic of Korea to take concrete steps to embark on a credible path towards a complete, verifiable and irreversible denuclearization and thus contribute to lasting peace and security on the Korean Peninsula. An essential element of this is the signature and ratification of the Comprehensive Nuclear-Test-Ban Treaty without delay. Doing so would give legal effect to the Democratic People's Republic of Korea's announced suspension of nuclear tests and its wish to "join the international desire and efforts for a total halt of nuclear tests". In this light, the European Union hopes for tangible progress leading to the verifiable closure of the nuclear test sites of the Democratic People's Republic of Korea. This verification could benefit from relevant technical assistance, potentially including Comprehensive Nuclear-Test-Ban Treaty Organization expertise. The Comprehensive Nuclear-Test-Ban Treaty Organization scans the globe for indications of a nuclear test, but the International Monitoring System also produces data with numerous civil and scientific applications, such as tsunami and volcanic ash cloud early warning, climate change tracking and meteor detection. Without prejudice of its main task (nuclear test detection), the European Union considers the full realization of these benefits to have an added value for the organization and its members.

15. The political efforts of the European Union have been complemented by its financial commitment to help strengthen the verification capabilities of the Comprehensive Nuclear-Test-Ban Treaty Organization, so that the full membership can reap the benefits, including the civil and scientific applications of the monitoring data.

16. The Non-Proliferation Treaty provides a solid framework for promoting cooperation in the peaceful uses of nuclear energy. The European Union considers that nothing in the Non-Proliferation Treaty shall be interpreted as affecting the inalienable right of all the parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I, II and III of the Treaty. While it is the prerogative of each State to establish its own national energy policy, including fuel cycle policies, in accordance with its national requirements and taking into account relevant international obligations, the use of nuclear energy needs to be enabled, at all its stages, by commitments to and ongoing implementation of the highest standards of safety and security, as well as effective safeguards with full transparency. In this context, the European Union urges all States to sign and implement the relevant conventions and international instruments on safety and security.

17. The European Union remains greatly concerned by the threat of terrorism and the risk that terrorists may acquire, develop, traffic or use nuclear or other radioactive materials. Today, radioactive materials and sources are being used intensively for medical, industrial, agricultural, research and environmental purposes. The abundance of radioactive material used in these applications increases the possibility that, if not under adequate control, such materials could fall into the hands of non-State actors and ultimately be used in terrorist attacks or for other criminal purposes. While recognizing that nuclear security remains the responsibility of States, international cooperation contributes to strengthening nuclear security.

18. IAEA plays a central role in coordinating global efforts and strengthening the international nuclear security architecture and provides assistance to its member States in their efforts to ensure the security of nuclear and other radioactive materials and facilities. This assistance helps to foster more secure and safe use of nuclear

technologies, instruments, infrastructure, qualified staff and knowledge necessary to lead subsequent developments in this field. The European Union and its member States are currently among the biggest donors to the IAEA Nuclear Security Fund. The European Union is committed to supporting the dissemination of nuclear science and technology to support global sustainable development. The European Union and its member States have used part of their assistance to ensure the safe and secure use of nuclear energy for the past 30 years. The European Union and its member States support the work of the Agency in implementing its Nuclear Security Programme.

19. To address concerns of illicit trafficking of nuclear and other radioactive materials, a dedicated European Nuclear Security Training Centre was set up at the Joint Research Centre of the European Commission. It complements national training activities with hands-on training using real nuclear material. The training covers a wide range of topics, including the training of front-line officers, the creation of national response plans, contaminated crime scene management or core capabilities in nuclear forensics. With the objective of supporting information-sharing among States on incidents of illicit trafficking and other related unauthorized activities involving nuclear and other radioactive materials, the European Commission is working together with IAEA aiming to enhance the IAEA Incident and Trafficking Database by improving the reporting culture and data security.

20. The European Commission, on behalf of Euratom, has been cooperating for a long time with IAEA in nuclear safety, including by participating in the IAEA safety standards committees dealing with nuclear safety, radioactive waste and radiation protection. Some of the areas of cooperation between the European Commission and IAEA are: (a) nuclear safety, including safety standards, regulatory framework, installations, spent fuel and radioactive waste, transport of radioactive material and decommissioning of installations, as well as protection against ionizing radiation; (b) support to IAEA nuclear safety peer reviews and safety assistance to countries in the development of safety assessments and to countries introducing (or further developing) a nuclear power programme; (c) arrangements for radiological emergency preparedness, including emergency prevention and management and mitigation of consequences; and (d) support to IAEA peer reviews of radioactive waste and spent fuel management.

21. The European Commission and IAEA also cooperate closely on nuclear science applications, with the Practical Arrangement of 2017 between the two institutions covering horizontal areas such as joint educational and training courses, standardization and traceability, reference materials, proficiency tests, inter-laboratory comparison exercises and validation of analytical methods, in a range of different specific topics, including soil sciences, earth observation, food safety, food traceability and authenticity, ocean science, health, environmental monitoring and sustainable water management, among other possible lines of collaboration. Since February 2017, 37 joint actions have been identified between the two parties, including joint participation in meetings/conferences, joint workshops on best practices, research and development activities or joint development of reference materials.

Conclusion

22. The Non-Proliferation Treaty remains the cornerstone of the global nuclear non-proliferation regime, as well as the essential foundation for the pursuit of nuclear disarmament in accordance with article VI and for the development of nuclear energy use for peaceful purposes. Our priority has been and continues to be to uphold and preserve the Non-Proliferation Treaty as a key multilateral instrument for the benefit of international peace and security, to promote its universalization and to strengthen its implementation across its three equally important and mutually reinforcing pillars.

23. The European Union remains more convinced than ever that the Non-Proliferation Treaty and its review cycle have made a decisive contribution to establishing and maintaining peace and security. Commitment by all parties to the Treaty is the essential condition for this framework of collective security to be preserved and further strengthened in the coming decades. We encourage all States parties to the Non-Proliferation Treaty to renew their efforts to engage with each other to genuinely find ways forward to overcome divisions and press on with a renewed commitment to the comprehensive, full and balanced implementation of the Treaty. All States parties bear a collective responsibility to ensure that this review cycle will be successful in strengthening the Non-Proliferation Treaty, marking its fiftieth anniversary.
